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Heed Chamorro

ANY DISCUSSION of the legality — or illegality — of American aid to the Nicaraguan rebels is confusing because what used to be legal has been illegal for almost a year but is likely to be legal again soon. Even in this context, however, there is no excuse for the Reagan Administration's helping to organize private American military and humanitarian assistance to the rebels. Congress made it plain in 1984 that it did not want the United States providing any type of assistance to the Nicaraguan insurgents.

Both the House and the Senate have enacted legislation permitting resumption of humanitarian aid to the guerrillas now. Even so, the 1984 prohibition is still the law. That prohibition will remain in effect until a congressional conference committee iron out differences in the two bills and the President signs the compromise measure.

The disclosure by former rebel leader Edgar Chamorro that Administration officials involved themselves directly in coordinating and encouraging the private aid is most disturbing. The pattern is a recurring theme in the struggle between the President and Congress on who has the last word on what can, or cannot, be done in Nicaragua.

Even in its early years, when the

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Administration legally could provide direct and indirect assistance to the insurgents. Administration officials flouted the limits imposed by Congress. In fact, one of the reasons Congress cut off the aid was the decision by the Central Intelligence Agency to mine Nicaraguan ports and to provide the rebels manuals on how to "neutralize" Sandinista officials.

The issue takes on new importance now that both the houses of Congress have approved nonmilitary aid to the rebels. If Administration officials circumvented the will of Congress when all assistance was prohibited, can anybody trust them to maintain the distinction between military and nonmilitary aid?

Congress should carefully review Mr. Chamorro's allegations, detail the exact nature of the Administration's violations, and bring charges against any officials implicated. The Administration must be shown that it cannot violate Congress's mandates with impunity. Otherwise, its past transgressions suggest that those violations will continue no matter what the law says.